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TAGS: [PREL](#) [EUN](#) [PGOV](#) [HR](#) [SI](#)

SUBJECT: SLOVENIAN FM STRATEGIZING ON LATEST REHN PROPOSAL

REF: LJUBLJANA 125

Classified By: CDA Brad Freden, Reasons 1.4 (b,d)

#### Summary

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11. (C) Foreign Minister Zbogar reviewed with us on May 5 the government of Slovenia's planning on trying to get to a "yes" on EU Commissioner Rehn's most recent proposal on the Slovenia-Croatia border dispute. He stressed the government's concern that it be able to sell the Rehn proposal to the public in order to defeat any possible referendum. FM Zbogar told us that Slovenia planned to respond positively, with comments, but still had a tough round of domestic consultations/negotiations to go. This week there will be a series of meetings to discuss Slovenia's response: the political party leaders on May 6; a government session on May 7; and Parliament's Foreign Affairs Committee on May 8. PM Pahor announced that Slovenia planned to formally respond to Rehn's proposal next week. However, if Slovenia does not succeed in getting at least cosmetic changes to the current proposal (reftel), it will not be able to sell the agreement to the parliament or the public. End Summary

12. (C) The government planned to meet again with the parliamentary political parties on May 6 to discuss their reactions to the latest proposal, which the government briefed to them on April 24. According to press reports, the two largest parties in the coalition (PM Pahor's party, the Social Democrats, and Zares) support acceptance, with some comments; and LDS is likely to join the consensus. While the media is reporting that the fourth member of the coalition, DeSUS, believes that Slovenia should persist in its demand for mediation rather than accepting arbitration, we believe that it will eventually go with the other members of the coalition.

13. (C) The Foreign Minister expressed concern that the meeting with the parliamentary party leaders would be difficult going. Janez Jansa, the leader of the largest opposition party, SDS, said on the May 5 broadcast news that the proposal as currently drafted was bad for Slovenia. The government knows it needs to get Jansa and his party on board, leading to Zbogar's worries about the "difficult" party discussions. Even with the coalition and SDS supporting the proposal, Zbogar predicted that Zmago Jelencic, head of the Slovenian National Party (SNS), would call for a referendum on the Rehn proposal. The FM indicated that he hoped this week's tough meetings would result in a Slovenian response that would overcome a referendum and allow Croatia's EU accession to move forward.

Comment

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14. (C) Regardless of how objectively "good" or "bad" the final agreement on arbitration is for Slovenia, someone is bound to call for a referendum. This is almost a given. It could happen when the National Assembly votes on the Rehn proposal or when it comes time for Slovenia to ratify Croatia's accession to the EU. At some point though, the government will inevitably be called upon to mount a public campaign in support of the Rehn proposal and Croatia's entry into the EU. To defeat a referendum initiative, the government needs two things: (1) leadership and (2) an agreement that can be sold to the public as protecting Slovenia's interests. The government is going to have to push this through by itself, but it needs something to work with. If they do not succeed in getting at least cosmetic changes to the current proposal, the agreement is doomed to fail, if not now then when it comes time to ratify Croatia's accession. On the other hand, if the final text of the Rehn proposal is perceived as providing a level playing field, the government will be able to sell the outcome of arbitration to the public, even if Slovenia does not get what it is hoping for. The process has to be seen as fair if the outcome is to be accepted. The alternative is for Slovenia to reject the Rehn proposal outright or agree grudgingly now, only to suffer defeat at the hands of the voters later when the accession treaty is submitted for ratification. We are very close to an agreement on the terms of arbitration, but both sides are still going to have to show a little bit of flexibility in order to get across the finish line.

FREDEN